

**TOWN OF LEXINGTON
MOTIONS**

**2015 Annual Town Meeting
(Articles 1 to 53)
(March 23, 2015)**

**Article 2 ELECTION OF DEPUTY MODERATOR AND REPORTS OF TOWN
BOARDS, OFFICERS AND COMMITTEES**

- a. Deputy Moderator
MOTION: That Deborah Strod be approved as Deputy Moderator.
- b. Report of the Committee on Cary Lectures
MOTION: That the report of the Committee on Cary Lectures be received and placed on file
and the Committee discharged.
- c. Report of the Town Manager
MOTION: That the report of the Town Manager be received and placed on file.
- d. Report of the Superintendent of Schools
MOTION: That the report of the Superintendent of Schools be received and placed on file.
- e. Report of the Appropriation Committee
MOTION: That the report of the Appropriation Committee be received and placed on file.
- f. Report of the Capital Expenditures Committee
MOTION: That the report of the Capital Expenditures Committee be received and placed on
file.
(3/23/15)

Article 3 APPOINTMENTS TO CARY LECTURE SERIES

- MOTION: That a committee of three plus one associate be appointed by the Moderator to
have the charge of the lectures under the wills of Eliza Cary Farnham and
Suzanna E. Cary for the current year.
(3/23/15)

Article 4 APPROPRIATE FY2016 OPERATING BUDGET

MOTION: That the following amounts be appropriated for the ensuing fiscal year and be raised in the tax levy or from general revenues of the Town, except where a transfer or other source is indicated they shall be provided by such transfer or other source.

Program 1000: Education

Personal Services	\$ 78,675,324
Expenses	<u>\$ 13,384,992</u>
Total Line Item 1100, Lexington Public Schools	\$ 92,060,316
1200 Regional Schools	\$ 1,172,736

Program 2000: Shared Expenses

2110 Contributory Retirement	\$ 5,255,537
2120 Non-Contributory Retirement	\$ 13,810
2130 Employee Benefits (Hlth/Dental/Life/Medicare)	\$ 25,250,981
2140 Unemployment	\$ 200,000
2150 Workers' Comp.(MGL Ch. 40, Sec. 13A&13C)*	\$ 643,112
2160 Property & Liability Insurance	\$ 860,309
2170 Uninsured Losses (MGL Ch. 40, Sec. 13)*	\$ 200,000

2200 Debt Service

2210 Payment on Funded Debt	\$ 5,169,842
2220 Interest on Funded Debt	\$ 939,550
2230 Temporary Borrowing	\$ 623,135
 2310 Reserve Fund	 \$ 900,000
2400 Facilities	\$ 9,899,631

Program 3000: Public Works

3100-3500 DPW Personal Services	\$ 3,764,416
3100-3500 DPW Expenses	\$ 4,985,157

Program 4000: Public Safety

4100 Law Enforcement Personal Services	\$ 5,680,587
4100 Law Enforcement Expenses	\$ 821,269
4200 Fire Personal Services	\$ 5,810,284
4200 Fire Expenses	\$ 568,350

Article 4 (continued)

Program 5000: Culture & Recreation

5100 Library Personal Services	\$ 1,988,796
5100 Library Expenses	\$ 385,499

Program 6000: Human Services

6000 Human Services Personal Services	\$ 496,020
6000 Human Services Expenses	\$ 707,643

Program 7000: Office of Land Use, Inspectional Services
and Economic Development (LU/IS/ED)

7100 Office of LU/IS/ED Personal Services	\$ 1,752,910
7100 Office of LU/IS/ED Expenses	\$ 358,157

Program 8000: General Government

8110 Selectmen Personal Services	\$ 138,687
8110 Selectmen Expenses	\$ 103,325
8120 Legal	\$ 410,000
8130 Town Report	\$ 13,500
8210-8220 Town Manager Personal Services	\$ 546,170
8210-8220 Town Manager Expenses	\$ 215,085
8230 Salary Transfer Account (<i>MGL Ch.40, Sec 13D</i>)*	\$ 820,316
8310 Financial Committees	\$ 7,500
8320 Misc. Boards and Committees	\$ 19,500
8330 Public Celebrations Committee	\$ 42,000
8400 Finance Personal Services	\$ 1,341,058
8400 Finance Expenses	\$ 462,875
8500 Town Clerk Personal Services	\$ 327,229
8500 Town Clerk Expenses	\$ 109,375
8600 Information Services Personal Services	\$ 752,113
8600 Information Services Expenses	\$ 950,450

Article 4 (concluded)

Note: Asterisk denotes a Continuing Balance Account.

\$ 1,858,947 from the Health Claims Trust Fund for line item 2130
\$ 620,567 from the Capital Projects/Debt Service Reserve/Building
Renewal Stabilization Fund for line items 2210 and
2220;
\$ 395,000 from the Parking Meter Fund for line items 3100-3500 and 4100;
\$ 105,000 from the Cemetery Trust Fund for line item 3100-3500
\$ 137,000 from the Transportation Demand Management/Public Transportation
Stabilization Fund for Appropriations for line items 6000 and 7100;
\$ 4,080,920 from Unreserved Fund Balance/Free Cash;
\$ 898,614 from the Water Enterprise Fund;
\$ 478,354 from the Sewer Enterprise Fund; and
\$ 240,608 from the Recreation Enterprise Fund.
(3/23/15)

Article 5 APPROPRIATE FY2016 ENTERPRISE FUND BUDGETS

MOTION: a) That the Town appropriate the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2016 under the provisions of M.G.L. Chapter 44, Section 53F½:

Personal Services	\$ 695,679
Expenses	389,400
Debt Service	1,205,347
MWRA Assessment	<u>6,639,453</u>
Total	\$8,929,879

Said sum to be funded from water receipts and \$200,000 from retained earnings.

b) That the Town appropriate the following sums of money to operate the Wastewater (Sewer) Division of the Department of Public Works during fiscal year 2016 under the provisions of M.G.L. Chapter 44, Section 53F½:

Personal Services	\$ 296,917
Expenses	345,650
Debt Service	1,020,131
MWRA Assessment	<u>7,902,109</u>
Total	\$9,564,806

Said sum to be funded from wastewater receipts.

Article 5 (concluded)

- c) That the Town appropriate the following sums of money to operate the Recreation and Community Programs Department during fiscal year 2016 under the provisions of M.G.L. Chapter 44, Section 53F½:

Personal Services/Expenses	\$ 2,501,831
Debt Service	<u>100,000</u>
Total	\$2,601,831

Said sum to be funded from recreation receipts, \$375,000 from retained earnings, and a transfer of \$216,836 from the tax levy.

(3/23/15)

Article 6 APPROPRIATE FOR SENIOR SERVICE PROGRAM

MOTION: That the Town appropriate \$20,000 for the purpose of conducting a Senior Service Program, to be spent under the direction of the Town Manager; that to meet this appropriation \$20,000 be raised in the tax levy; and that the Board of Selectmen be authorized to establish rules and regulations for the conduct of the program.

(3/23/15)

Article 7 ESTABLISH AND CONTINUE DEPARTMENTAL REVOLVING FUNDS

MOTION: That the Town authorize the following revolving funds for certain Town departments pursuant to the provisions of M.G.L. Chapter 44, Section 53E½ for Fiscal Year 2016 beginning July 1, 2015, as follows:

Revolving Fund	Authorized Representative or Board to Spend	Departmental Receipts	Use of Fund	FY2016 Authorization
Building Rental Revolving Fund	Public Facilities Director	Building Rental Fees	Personnel and Expenses Related to the Rental of Facilities	\$425,000
DPW Burial Containers	Public Works Director	Sale of Grave Boxes and Burial Vaults	Program Expenses	\$40,000
DPW Compost Operations	Public Works Director	Sale of Compost and Loam, Yard Waste Permits	Personnel, Benefits, Program Expenses and Capital	\$520,000

Article 7 (concluded)

Revolving Fund	Authorized Representative or Board to Spend	Departmental Receipts	Use of Fund	FY2016 Authorization
PEG Access	Board of Selectmen and Town Manager	License Fees from Cable TV Providers	CATV contract, equipment and related expenses, improvements to Cary Memorial Building to enhance PEG Access broadcasting	\$565,000
Lexington Tree Fund	Board of Selectmen	Gifts, Fees and Fines	Program Expenses	\$45,000
Minuteman Household Hazardous Waste Program	Public Works Director	Fees Paid by Consortium Towns	Program Expenses	\$180,000
Health Programs	Health Director	Medicare Reimbursements	Program Expenses	\$14,000
Council on Aging Programs	Human Services Director	Program Fees and Gifts	Program Expenses	\$100,000
Tourism/ Liberty Ride	Town Manager and Tourism Committee	Liberty Ride Receipts, including ticket sales, advertising revenue and charter sales	Program Expenses	\$280,000
School Bus Transportation	School Committee	School Bus Fees	Bus Transportation Expenses	\$850,000
Regional Cache – Hartwell Avenue	Public Works Director	User Fees from Participating Municipalities	Program Expenses	\$20,000
Visitor Center	Economic Development Director	Sale of Goods, Program Fees and Donations	Personnel, Benefits and Program Expenses	\$117,000

(3/23/15)

**Article 8 APPROPRIATE THE FY2016 COMMUNITY PRESERVATION
COMMITTEE OPERATING BUDGET AND CPA PROJECTS**

MOTION: That the Town hear and act on the report of the Community Preservation Committee on the FY2016 Community Preservation budget and, pursuant to the recommendations of the Community Preservation Committee, take the following actions:

That the Town reserve for appropriation the following amounts from estimated FY2016 receipts as recommended by the Community Preservation Committee:

1. \$504,800 for the acquisition, creation and preservation of open space;
2. \$504,800 for the acquisition, preservation, rehabilitation and restoration of historic resources;
3. \$504,800 for the acquisition, creation, preservation and support of community housing; and
4. \$3,533,600 to the Unbudgeted Reserve.

And further, that the Town make appropriations from the Community Preservation Fund and other sources as follows:

- a) That \$26,400 be appropriated for a conservation meadow preservation program, and to meet this appropriation \$26,400 be appropriated from the Open Space Reserve of the Community Preservation Fund;
- b) That \$36,790 be appropriated for the Parker's Revenge battle site restoration, and to meet this appropriation \$36,790 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;
- c) That \$40,000 be appropriated for a historic structure assessment report of the First Parish Church, and to meet this appropriation \$40,000 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;
- d) That \$75,398 be appropriated for the Cary Memorial Building Records Center shelving, and to meet this appropriation \$75,398 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;
- e) That \$200,000 be appropriated for the design of the Battle Green streetscape improvements, and to meet this appropriation \$140,000 be appropriated from the Historic Resources Reserve of the Community Preservation Fund and \$60,000 be appropriated from the General Fund unreserved fund balance;
- f) That \$50,000 be appropriated for the design of a Community Center sidewalk, and to meet this appropriation \$50,000 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;
- g) That this item be indefinitely postponed.
- h) That \$25,000 be appropriated for the Community Center Preservation Restriction Endowment, and to meet this appropriation \$25,000 be appropriated from the Historic Resources Reserve of the Community Preservation Fund;

Article 8 (concluded)

- i) That \$68,000 be appropriated for park and playground improvements, and to meet this appropriation \$68,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- j) That \$85,000 be appropriated for park improvements – athletic fields, and to meet this appropriation \$85,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- k) That \$78,000 be appropriated for park and playgrounds ADA accessibility study, and to meet this appropriation \$78,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- l) That \$55,000 be appropriated for park improvements – hard court resurfacing, and to meet this appropriation \$55,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- m) That \$650,000 be appropriated for Lincoln Park Field improvements, and to meet this appropriation \$220,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund, \$193,500 be appropriated from the Recreation and Community Programs Fund Retained Earnings, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$236,500 under M.G.L. Chapter 44, Section 7(25), or any other enabling authority;
- n) That \$290,000 be appropriated for the Minuteman Bikeway culvert rehabilitation, and to meet this appropriation \$290,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- o) That \$18,000 be appropriated for the design of the Grain Mill Alley, and to meet this appropriation \$18,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- p) That \$39,000 be appropriated for design funds for the Minuteman Bikeway Wayfinding Signs, and to meet this appropriation \$39,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- q) That \$369,813 be appropriated for the Lower Vine Brook paved recreation path reconstruction, and to meet this appropriation \$369,813 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund;
- r) That \$2,417,200 be appropriated for CPA Debt Service and to meet this appropriation \$424,800 be appropriated from the Open Space Reserve of the Community Preservation Fund and \$1,992,400 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund; and
- s) That \$150,000 be appropriated for the Administrative Expenses and all other necessary and proper expenses of the Community Preservation Committee for FY2016 and to meet this appropriation \$150,000 be appropriated from the Unbudgeted Reserve of the Community Preservation Fund.

(3/23/15)

Article 9 PROPERTY PURCHASE – 241 GROVE STREET

MOTION: That, pursuant to the recommendation of the Community Preservation Committee, \$618,000 be appropriated for the acquisition of the property at 241 Grove Street, Parcel 1C on Lexington Assessor's Map 91, and, that the Board of Selectmen be authorized: (a) to acquire by purchase, on terms that the Board of Selectmen deems to be in the best interest of the Town, to be held in the care, custody and control of the Board of Selectmen for open space purposes, a parcel of land, which is a portion of 241 Grove Street, and which is a portion of Parcel 1C on Lexington Assessor's Map 91, approximately +/-27,879 square feet in area, outlined in blue on a plan of land entitled "Wright Farm: Sketch of Proposed Lot Split" that is on file at the Office of the Town Clerk, to be subsequently conveyed to the Conservation Commission, and for the Conservation Commission to convey a conservation restriction on the parcel, and (b) to acquire by purchase, on terms that the Board of Selectmen deems to be in the best interest of the Town, to be held in the care, custody and control of the Board of Selectmen for affordable housing purposes, a parcel of land, which is a portion of 241 Grove Street, and which is a portion of Parcel 1C on Lexington Assessor's Map 91, approximately +/-15,681 square feet in area, crosshatched in red on a plan of land entitled "Wright Farm: Sketch of Proposed Lot Split" that is on file at the Office of the Town Clerk, to be subsequently conveyed to LexHAB, and for LexHAB to convey an affordable housing restriction on the parcel, and to meet this appropriation \$253,027 be appropriated from the Open Space Reserve of the Community Preservation Fund to fund only the purchase under subpart (a) of this motion; \$264,428 from the Community Housing Reserve of the Community Preservation Fund to fund only the purchase under subpart (b) of this motion; and \$100,545 from the Unbudgeted Reserve of the Community Preservation Fund for the acquisition and incidental costs of said parcel.

(3/23/15)

Article 10 APPROPRIATE FOR RECREATION CAPITAL PROJECTS

MOTION: That \$68,000 be appropriated for Pine Meadows Golf Course equipment, and that to meet this appropriation \$68,000 be appropriated from Recreation Fund Retained Earnings.

(3/23/15)

Article 11 APPROPRIATE FOR MUNICIPAL CAPITAL PROJECTS AND EQUIPMENT

MOTION: That the following amounts be appropriated for the following capital improvements and that each amount be raised as indicated:

- a) Center Streetscape Improvements and Easements – Phase I - \$2,700,000 for the reconstruction of a portion of Massachusetts Avenue, including a traffic signal, sidewalks and lighting, and any incidental costs relative thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,700,000 under M.G.L. Chapter 44, Section 7, or any other enabling authority;
- b) DPW Equipment - \$1,270,000 for the cost of departmental equipment for the Department of Public Works and all incidental costs related thereto, and that to meet this appropriation \$40,500 be appropriated from the Water Fund Retained Earnings, \$40,500 be appropriated from Wastewater Fund Retained Earnings, \$100,000 be appropriated from the General Fund unreserved fund balance, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,089,000 under M.G.L. Chapter 44, Section 7(9), or any other enabling authority;
- c) Storm Drainage Improvements, NPDES Compliance and Easements - \$340,000 for constructing and reconstructing storm drains and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation \$225,575 be appropriated from the General Fund unreserved fund balance, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$114,425 under M.G.L. Chapter 44, Section 7(1), or any other enabling authority;
- d) Comprehensive Watershed Storm Water Management Study and Implementation and Easements - \$390,000 to fund watershed storm management projects and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$390,000 under M.G.L. Chapter 44, Section 7(1) or any other enabling authority;

Article 11 (continued)

- e) Sidewalk Improvements, Additions, Design and Easements - \$600,000 for rebuilding and repaving existing sidewalks and designing and constructing new sidewalks, including designing a new sidewalk on Pleasant Street and constructing a new sidewalk on portions of Prospect Hill Road where no sidewalk exists, including reconstructing the intersection of Prospect Hill Road and Marrett Road, and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$600,000 under M.G.L. Chapter 44, Section 7(6), or any other enabling authority;
- f) Townwide Culvert Replacement - \$100,000 for the repair and replacement of culverts, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$100,000 under M.G.L. Chapter 44, Section 7(1), or any other enabling authority;
- g) Townwide Signalization Improvements - \$125,000 for traffic and pedestrian signals, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$125,000 under M.G.L. Chapter 44, Section 7(14), or any other enabling authority;
- h) Hartwell Avenue Infrastructure Improvements and Easements - \$4,750,000 for designing, permitting and constructing improvements to Hartwell Avenue, including replacing or rehabilitating the Hartwell Avenue bridge crossing at Kiln Brook and upgrading the Maguire Road intersection, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow \$4,750,000 under M.G.L. Chapter 44, Section 7, or any other enabling authority;
- i) Street Improvements and Easements - \$2,270,145 for road reconstruction, repairs and resurfacing by the Department of Public Works and all incidental costs related thereto, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor, and that to meet this appropriation \$2,270,145 be raised in the tax levy, and authorize the Town to accept and expend any additional funds provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation;
- j) Bikeway Bridge Repairs and Engineering - \$10,000 for an engineering study to determine the work needed to repair the Grant Street Bridge along the bikeway, and that to meet this appropriation \$10,000 be appropriated from the General Fund unreserved fund balance;
- k) Hastings Park Undergrounding Wires – \$300,000 for the undergrounding of utility wires at Hastings Park, and that to meet this appropriation \$300,000 be appropriated from the General Fund unreserved fund balance;

Article 11 (concluded)

- l) Hydrant Replacement Program - \$150,000 for the replacement of fire hydrants and all incidental costs related thereto, and that to meet this appropriation \$75,000 be appropriated from Water Fund Retained Earnings and \$75,000 be appropriated from the General Fund unreserved fund balance;
- m) Westview Cemetery Building Assessment – \$35,000 for an assessment of the Cemetery Building to determine whether it can be renovated and expanded or whether a new building is needed, and that to meet this appropriation \$35,000 be appropriated from the Cemetery Trust Fund;
- n) Replace Townwide Telephone Systems – Phase IV - \$52,000 for new telephone systems in town and school buildings, and that to meet this appropriation \$52,000 be appropriated from the General Fund unreserved fund balance;
- o) Municipal Technology Improvement Program – Phase III – \$140,000 for additional disk-based storage, and that to meet this appropriation \$140,000 be appropriated from the General Fund unreserved fund balance;
- p) Police/Fire Dispatching and Records Software – \$705,900 for hardware and software for a fully integrated police/fire/dispatch software system, and any incidental costs relative thereto, and that to meet this appropriation \$307,500 be appropriated from the General Fund unreserved fund balance, and the Treasurer, with the approval of the Board of Selectmen is authorized to borrow \$398,400 under M.G.L. Chapter 44, Sections 7 (28) and (29), or any other enabling authority;
- q) Parking Meter Replacement - \$500,000 for replacing parking meters with new technology, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 under M.G.L. Chapter 44, Section 7, or any other enabling authority;
- r) Public Safety Radio Stabilization – Phase I – \$90,000 for improving reliability and redundancy in the Public Safety Radio System, and that to meet this appropriation \$90,000 be appropriated from the General Fund unreserved fund balance; and
- s) Design/Engineering – Firing Range at Hartwell Avenue Compost Site – \$50,000 for design and engineering related to the relocation, expansion and modernization of the current Lexington Police outdoor firing range at the Hartwell Avenue facility, and that to meet this appropriation \$50,000 be appropriated from the General Fund unreserved fund balance.

(3/23/15)

Article 12 PLEASANT STREET SIDEWALK (Citizen Article)

MOTION: That this article be indefinitely postponed.
(3/23/15)

Article 13 PROSPECT HILL ROAD SIDEWALK (Citizen Article)

MOTION: That this article be indefinitely postponed.
(3/23/15)

Article 14 APPROPRIATE FOR WATER SYSTEM IMPROVEMENTS

MOTION: That the Selectmen are hereby authorized to make distribution systems improvements, including the installation of new water mains and replacement or cleaning and lining of existing water mains and stand pipes, conducting engineering studies and the purchase and installation of equipment in connection therewith, and all incidental costs related thereto in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; to appropriate \$900,000 for such distribution systems improvements and land acquisition; and to meet this appropriation \$900,000 be appropriated from Water Fund Retained Earnings; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority and in connection therewith to enter into a loan agreement and/or security agreement.

(3/23/15)

Article 15 APPROPRIATE FOR WASTEWATER SYSTEM IMPROVEMENTS

MOTION: That: (a) the Selectmen are hereby authorized to install sanitary sewer mains and sewerage systems and replacements thereof, and all incidental costs related thereto in such accepted or unaccepted streets or other land as the Selectmen may determine, subject to the assessment of betterments or otherwise, in accordance with Chapter 504 of the Acts of 1897, as amended, or otherwise, and to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor; to appropriate for such installation and land acquisition the sum of \$1,200,000, and to raise such amount the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,200,000 under M.G.L. Chapter 44, Section 7(1) or any other enabling authority; and that the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority and in connection therewith to enter into a loan agreement and/or security agreement; and (b) \$600,000 be appropriated for pump station upgrades and all incidental costs related thereto including engineering studies and the purchase of equipment in connection therewith, and to raise such amount \$600,000 be appropriated from Wastewater Fund Retained Earnings.

(3/23/15)

**Article 16 APPROPRIATE FOR SCHOOL CAPITAL PROJECTS
AND EQUIPMENT**

MOTION: That the following amounts be appropriated for the following school capital improvements and that each amount be raised as indicated:

- a) School Furniture, Equipment and Systems Program - \$317,500 for the purchase of classroom furniture and equipment for systems programs, and that to meet this appropriation \$200,000 be appropriated from the General Fund unreserved fund balance, and the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$117,500 under M.G.L. Chapter 44, Section 7(9), or any other enabling authority;
- b) School Technology - \$1,378,000 for maintaining and upgrading the Lexington Public Schools' technology systems, including new equipment in connection therewith and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,378,000 under M.G.L. Chapter 44, Section 7(28), or any other enabling authority; and
- c) Additional Time Clock System Funds - \$208,000 for additional funds for hardware and software for the installation of a time clock system, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$208,000 under M.G.L. Chapter 44, Sections 7 (28) and (29).

(3/23/15)

**Article 17 TECHNICAL CORRECTION TO THE BORROWING
AUTHORIZATION UNDER ARTICLE 13b OF THE 2014 ANNUAL
TOWN MEETING**

MOTION: That the borrowing authorization approved under Article 13b of the warrant for the 2014 Annual Town Meeting (School Technology) in the amount of \$1,100,000 be changed to read \$1,110,000.

(3/23/15)

Article 18 APPROPRIATE FOR PUBLIC FACILITIES CAPITAL PROJECTS

MOTION: That the following amounts be appropriated for the following capital improvements to public facilities and that each amount be raised as indicated:

- a) Middle School Space Mining – \$674,000 for remodeling and reconstructing space at the Clarke Middle School, including all incidental costs, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$674,000 under M.G.L. Chapter 44, Section 7(3A), or any other enabling authority;
- b) Clarke Middle School Circulation and Parking Improvements, Design – \$363,000 for the cost of engineering and architectural services for designing circulation and parking improvements around Clarke Middle School, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$363,000 under M.G.L. Chapter 44, Section 7(22), or any other enabling authority;
- c) LHS Phase 2 Overcrowding/Completion – \$90,200 for remodeling and reconstructing space at Lexington High School, including all incidental costs, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$90,200 under M.G.L. Chapter 44, Section 7(3A), or any other enabling authority;
- d) Public Facilities-Major Mechanical/Electrical Systems' Replacement – \$463,000 for replacement of HVAC and electrical systems in public buildings, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$463,000 under M.G.L. Chapter 44, Section 7(3A), or any other enabling authority;
- e) Lexington Public School Educational Capacity Increase – Short and Long-Term – That this item be indefinitely postponed.
- f) Lexington High School Heating Systems Upgrade – Phase 2 and 3 – Design - \$150,000 for engineering services to design upgrades for the Lexington High School heating systems, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$150,000 under M.G.L. Chapter 44, Section 7(21), or any other enabling authority;
- g) School Building Envelope and Systems – \$210,000 for design, construction, repair and replacement projects for the maintenance and upgrades of school buildings and systems, and that to meet this appropriation \$210,000 be appropriated from the General Fund unreserved fund balance;
- h) Municipal Building Envelope and Systems - \$182,760 for design, construction, repair and replacement projects for the maintenance and upgrades of municipal buildings and systems, and that to meet this appropriation \$182,760 be raised in the tax levy;
- i) School Extraordinary Repairs - \$335,425 for School Building flooring, interior painting and Diamond Middle School lighting to rear parking lot, and that to meet this appropriation \$335,425 be appropriated from the General Fund unreserved fund balance;

Article 18 (concluded)

- j) School Paving Program - \$150,000 for designing, constructing and maintaining school parking and paved pedestrian surfaces, and that to meet this appropriation \$150,000 be appropriated from the General Fund unreserved fund balance;
- k) Public Facilities Bid Documents - \$75,000 for professional services to produce design development, construction documents, and bid administration services for capital projects, and that to meet this appropriation \$75,000 be appropriated from the General Fund unreserved fund balance; and
- l) Security Cameras Upgrade – \$38,500 for upgrading the older security system to the newer digital security system, and to meet this appropriation \$38,500 be appropriated from the General Fund unreserved fund balance.

(3/23/15)

Article 19 MARTINGALE ROAD STREET ACCEPTANCE

MOTION: To establish as a Town way and accept the layout of Martingale Road from Freemont Street, a distance of 850 feet, more or less, as laid out by the Selectmen and shown upon a plan on file in the office of the Town Clerk, dated October 14, 2014, and to authorize the Selectmen to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor.

(3/23/15)

Article 20 RICHMOND CIRCLE STREET ACCEPTANCE

MOTION: To establish as a Town way and accept the layout of Richmond Circle from Martingale Road, a distance of 170 feet, more or less, as laid out by the Selectmen and shown upon a plan on file in the office of the Town Clerk, dated October 14, 2014, and to authorize the Selectmen to take by eminent domain, purchase or otherwise acquire any fee, easement or other interest in land necessary therefor.

(3/23/15)

Article 21 APPROPRIATE TO POST EMPLOYMENT INSURANCE LIABILITY FUND

MOTION: That \$1,862,194 be appropriated to the Town of Lexington Post Employment Insurance Liability Fund, as established by Chapter 317 of the Acts of 2002, and that to meet this appropriation \$3,247 be appropriated from the General Fund unreserved fund balance and \$1,858,947 be raised in the tax levy.

(3/23/15)

Article 22 ADJUST RETIREMENT COLA BASE FOR RETIREES

MOTION: That the base amount upon which cost of living adjustments are calculated for retirees be raised to \$13,000 as authorized by M.G.L. Chapter 32, Section 103(j).
(3/23/15)

Article 23 ACCEPT CHAPTER 235 OF THE ACTS OF 1994

MOTION: That the Town hereby accepts Chapter 235 of the Acts of 1994 regulating pension rights of certain firefighters and police officers terminated due to a reduction in force.
(3/23/15)

Article 24 APPROPRIATE BONDS AND NOTES PREMIUMS

MOTION: That the Town appropriate \$32,858 from the premium paid to the Town upon the sale of bonds issued for the Bridge and Bowman School reconstruction as authorized under Article 2 of the November 14, 2011 Special Town Meeting and \$116,282 from the premium paid to the Town upon the sale of bonds issued for the Estabrook School construction as authorized under Article 2 of the April 2, 2012 Special Town Meeting, which are the subject of Proposition 2½ debt exclusions, to pay costs of the projects being financed by such bonds and to reduce the amounts authorized to be borrowed for such projects, but not yet issued by the Town, by the same amounts.
(3/23/15)

Article 25 RESCIND PRIOR BORROWING AUTHORIZATION

MOTION: To be determined.
(3/23/15)

Article 26 ESTABLISH AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

MOTION: a) That \$215,000 be appropriated from the Capital Projects/Debt Service/Building Renewal Fund to offset debt service for projects excluded from the limits of Proposition 2 ½;
b) That \$9,447,832 be appropriated to the Capital Projects/Debt Service Reserve/Building Renewal Fund, and to meet this appropriation \$6,405,035 be appropriated from the General Fund unreserved fund balance, and \$3,042,797 be raised in the tax levy;
c) That \$20,338.93 be appropriated to the Transportation Demand Management/Public Transportation Stabilization Fund, and to meet this appropriation \$20,338.93 be transferred from the TDM special revenue account;

Article 26 (concluded)

- d) That \$18,174.93 be appropriated to the Traffic Mitigation Stabilization Fund, and to meet this appropriation \$18,174.93 be transferred from the Traffic Mitigation special revenue account; and
- e) That the name of the Capital Projects/Debt Service/Building Renewal Fund be changed to the Capital Projects Stabilization Fund with the purposes of the Fund to remain the same.

(3/23/15)

Article 27 APPROPRIATE TO STABILIZATION FUND

MOTION: That this article be indefinitely postponed.

(3/23/15)

Article 28 APPROPRIATE FROM DEBT SERVICE STABILIZATION FUND

MOTION: That \$124,057 be appropriated from the Debt Service Stabilization Fund to offset the FY2016 debt service of the bond dated February 1, 2003 issued for funding additions and renovations to the Lexington High School, Clarke Middle School and Diamond Middle School as refunded with bonds dated December 8, 2011.

(3/23/15)

Article 29 APPROPRIATE FOR PRIOR YEARS' UNPAID BILLS

MOTION: That this article be indefinitely postponed.

(3/23/15)

Article 30 AMEND FY2015 OPERATING, ENTERPRISE AND CPA BUDGETS

MOTION: To be determined.

(3/23/15)

Article 31 APPROPRIATE FOR AUTHORIZED CAPITAL IMPROVEMENTS

MOTION: To be determined.

(3/23/15)

Article 32 ESTABLISH QUALIFICATIONS FOR TAX DEFERRALS

MOTION: That this article be indefinitely postponed.

(3/23/15)

Article 33 AUTHORIZE HOME RULE PETITION FOR TAX RELIEF

MOTION: That this article be indefinitely postponed.
(3/23/15)

**Article 34 ACCEPT MGL CHAPTER 59, SECTION 5, CLAUSE 54 AND SET
PERSONAL PROPERTY MINIMUM TAX**

MOTION: That the Town hereby accepts Clause 54 of Section 5 of Chapter 59 of the
Massachusetts General Laws and establishes the minimum value of personal
property subject to taxation at two thousand dollars (\$2,000).
(3/23/15)

**Article 35 ACCEPT MGL CHAPTER 90-I, SECTION 1 (COMPLETE STREETS
PROGRAM)**

MOTION: That the Town hereby accepts Section 1 of Chapter 90I, as amended, of the
Massachusetts General Laws related to the Commonwealth's Complete Streets
Program.
(3/23/15)

**Article 36 AUTHORIZE COMMUNITY ELECTRICAL AGGREGATION
PROGRAM**

MOTION: That the Board of Selectmen hereby are authorized to enter into a Community
Choice Electrical Aggregation Program and contract for electric supply for
Lexington residents and businesses as per Section 134 of Chapter 164 of the
Massachusetts General Laws.
(3/23/15)

Article 37 AMEND GENERAL BY-LAW – STREET PERFORMERS

MOTION: That Section 76-3 of Chapter 76 of the Code of the Town of Lexington (Street
Musicians) be amended as set forth in the Article, and further that non-substantive
changes to the numbering of this bylaw be permitted in order that it be in
compliance with the numbering format of the Code of the Town of Lexington.
(3/23/15)

Article 38 AMEND GENERAL BYLAWS – TOURISM COMMITTEE

MOTION: That Sections 29-28 and 29-29 of Chapter 29 (Committees) of the Code of the
Town of Lexington be amended as set forth in the Article, and further that non-
substantive changes to the numbering of this bylaw be permitted in order that it be
in compliance with the numbering format of the Code of the Town of Lexington.
(3/23/15)

Article 39 REPEAL GENERAL BYLAWS – SALE AND USE OF TOBACCO

MOTION: That Sections 97-5, 97-6 and 97-7 of Chapter 97 of the Code of the Town of Lexington are hereby repealed in their entirety and, further, that the references to said bylaws in Section 1-6 of the Code of the Town of Lexington be struck and further that non-substantive changes to the numbering of these bylaws be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

Article 40 AMEND GENERAL BYLAWS – SALE AND USE OF TOBACCO

MOTION: That Sections 97-5, 97-6 and 97-7 of Chapter 97 of the Code of the Town of Lexington be amended as set forth in the motion attached to the report of the Board of Health on this article, a copy of which is on file with the Town Clerk and the Board of Health, and further that non-substantive changes to the numbering of these bylaws be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

Article 41 AMEND GENERAL BYLAWS – CONTRACTS AND DEEDS

MOTION: That this article be indefinitely postponed.

(3/23/15)

Article 42 COMMISSION ON DISABILITY REQUEST

MOTION: Resolved that to provide a welcoming and comfortable experience for individuals of all abilities, the Town will endeavor at all times to use smooth, safe and aesthetically appropriate materials when constructing sidewalks and other passageways on town-owned walkways. Bricks and other small discrete pavers may be used as decorative edge treatments, but shall always be installed to create the smoothest surface possible to provide safe passage for citizens who have trouble traversing uneven surfaces.

(3/23/15)

Article 43 AMEND GENERAL BYLAWS – DEMOLITION DELAY (Citizen Article)

MOTION: That Section 19-3F(3) of Chapter 19 (Buildings, Demolition of) of the Code of the Town of Lexington be amended by striking the figure “12” and substituting therefor the figure “24” , and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town Lexington.

(3/23/15)

Article 44 RESOLUTION ON FOSSIL FUEL DIVESTMENT (Citizen Article)

MOTION: That the following resolution be adopted:

WHEREAS: Global warming, caused primarily by the burning of fossil fuels and the resulting increase in greenhouse gases in the atmosphere, is a serious threat to the health and well-being of current and future generations in Lexington and around the world; and

WHEREAS: The UN Intergovernmental Panel on Climate Change (IPCC) Fifth Assessment Report found that global warming is already causing costly disruption of human and natural systems throughout the world, including the acidification of the oceans, melting of Arctic and glacial ice, rising sea levels, increasing heat waves, floods, droughts, extreme weather, and corresponding food and water shortages, property damage, threats to national security, loss of biodiversity, increased health consequences such as mosquito and tick borne diseases, pollen related allergies and asthma and even death; and

WHEREAS: The effects of global warming will further intensify with increased temperatures such that almost all governments in the world, including the United States, have agreed (through the 2009 Copenhagen Accord) that any warming above a 2°C (3.6°F) rise would be unsafe for human habitation. Further, that the time is fast approaching when it will be impossible to limit the rise in temperature through human actions; and

WHEREAS: The Town of Lexington has a moral obligation to protect the health, welfare and property of its residents from the threat of global warming and has already made a conscientious effort in this regard by becoming a Massachusetts Green Community, establishing the Sustainable Lexington and the Energy Conservation Committees, by installing solar panels on schools and other municipal buildings, by installing bike lanes, and electric vehicle charging stations, replacing its streetlights with LED bulbs, and committed to considering climate change in all appropriate town decisions; and

WHEREAS: Proven coal, oil and natural gas reserves, counted as assets of fossil fuel companies, equal roughly five times the maximum amount that can safely be burned to prevent more than 2°C of global warming; and

WHEREAS: Investments in fossil fuel companies could prove highly risky given that 80% of their proven reserves could become "stranded" and unusable assets with the occurrence of the following: governments acting to put a price on carbon that recognizes its harmful effects, cost-effective renewable energy resources continuing to be developed, increasing costs of fossil fuel extraction, changing social norms bringing increased energy efficiency, expanded environmental regulation, and suppressed growth of fossil fuel demand in key economies; and

Article 44 (concluded)

WHEREAS: The Town of Lexington has a duty to its employees and taxpayers to maintain the value of funds invested on their behalf and to avoid risky investments; and

THEREFORE, BE IT RESOLVED THAT Lexington Town Meeting urges its Retirement Board and Trustees of Public Trusts to review their investment portfolios in order to identify any holdings that include direct or indirect investments in fossil fuel companies, defined for purposes of this Resolution as any of the two hundred publicly-traded companies with the largest coal, oil and gas reserves (as measured by the gigatons of carbon dioxide that would be emitted if those reserves were extracted and burned) such as those companies listed by the Fossil Free Indexes, LLC; and

Be it FURTHER RESOLVED, that Lexington Town Meeting urges its Retirement Board and Trustees of Public Trusts to adopt policies to divest from such existing public equities, corporate bonds, or other direct holdings in fossil fuel companies within five years and to preclude any new direct investments in fossil fuel companies in the future; and

Be it FURTHER RESOLVED, that, for any investments of the Town of Lexington in commingled or mutual funds that are found to include fossil fuel companies, Town Meeting urges the Retirement Board and the Trustees of Public Trusts to contact their fund managers and request that the fossil fuel companies be removed from such funds over a period of five years; and

Be it FURTHER RESOLVED, that the Retirement Board and the Trustees of Public Trusts release annual updates, that are made available to the public, which detail progress made towards full divestment from fossil fuel companies within five years; and

Be it FURTHER RESOLVED, that Town Meeting urges the Board of Selectmen and Retirement Board to ask the managers of the State of Massachusetts Pension Reserve Investment Trust Fund (PRIT) to foster a more sustainable future for our residents by divesting statewide retirement funds from fossil fuel companies, and

Be it FURTHER RESOLVED, that the Town Clerk is requested to send copies of this Resolution to Lexington's elected state and national officials including President Barack Obama, Senators Elizabeth Warren and Edward Markey, Representative Katherine Clark, Representatives Jay Kaufman and Sean Garballey, Governor Charlie Baker, State Senators Michael Barrett and Kenneth Donnelly, as well as to State Treasurer Deborah Goldberg, the Public Employee Retirement Administration Commission (PERAC) and managers of the Pension Reserve Investment Trust (PRIT).

(3/23/15)

Article 45 TOWNWIDE PROCESS FOR SAFETY (Citizen Article)

MOTION: Resolved that the Board of Selectmen take urgent action to address town-wide bicycle and pedestrian safety needs with the goal of reducing pedestrian and cyclist fatalities and serious accidents in Lexington to zero, and that they report to Town Meeting in a year's time with a plan of action and possible budget requirements.

(3/23/15)

Article 46 ACQUISITION OF LAND SHOWN ON ASSESSORS' PROPERTY MAP 22, LOT 51B

MOTION: That the Board of Selectmen be authorized to take by eminent domain or otherwise acquire for municipal purposes any fee, easement or other interest in all or any part of land shown as Lot 51B on Assessors' Property Map 22, now of owners unknown.

(3/23/15)

Article 47 AMEND ZONING BY-LAW – MEDICAL MARIJUANA (Citizen Article)

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion which is printed in the Article in the Warrant, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington

(3/23/15)

Article 48 AMEND ZONING MAP – COMMERCIAL ZONING DISTRICT LINES

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

Article 49 AMEND ZONING BY-LAW AND MAP – CIVIC USE DISTRICTS

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

**Article 50 AMEND ZONING MAP – CM DISTRICT, WALTHAM LINE NEAR
ROUTE 128/I95**

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

Article 51 AMEND ZONINGBY-LAW - SITE PLAN REVIEW APPLICABILITY

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

Article 52 AMEND ZONING BY-LAW – TECHNICAL CORRECTIONS

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)

**Article 53 AMEND ZONING BY-LAW – CB DISTRICT MORATORIUM ON
BANKS**

MOTION: That the Zoning By-Laws of the Town be amended as set forth in the motion attached to the report of the Planning Board on this article, a copy of which is on file with the Town Clerk and the Planning Board, and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of the Town of Lexington.

(3/23/15)